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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/635,394 Confirmation No.: 1183
Applicant : Khosravi, et al.
Filing Date : August 5, 2003
Title : COILED-SHEET STENT-GRAFT WITH SLIDABLE EXO-SKELETON
Group Art Unit : 3731
Examiner : Ho, Uyen T.
Docket No. : 702563.4008
Customer No. : 34313

Handwritten: 3/6/04

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

I, Charles C. Fowler, represent that I am an attorney of record for the above-identified application. I am authorized to sign this Terminal Disclaimer on behalf of Endotex Interventional Systems, Inc. I certify that Endotex Interventional Systems, Inc. owns the entire interest in the above-identified application and invention by virtue of an assignment from the inventors to Endotex Interventional Systems, Inc. recorded in the Patent and Trademark Office at Reel 9898, Frame 0478. I have reviewed all the documents in the chain of title of this patent application and, to the best of my knowledge and belief, title and the entire interest of this patent application is held by Endotex Interventional Systems, Inc..

Handwritten: S

CERTIFICATE OF FACSIMILE
37 CFR §1.8

To: SPE Anh Tuan Nguyen
Fax: 571-273-4963
From: Orrick, Herrington & Sutcliffe LLP
From Fax: 949-567-6710
Date/Time: March 3, 2006 4:00 pm

I hereby certify, pursuant to 37 CFR §1.8, that I have reasonable basis to expect that that this paper or fee (along with any referred to as being attached or enclosed) would be transmitted on or before the date indicated.

Handwritten signature: Valerie Cloyd
Valerie Cloyd

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Endotex Interventional Systems, Inc. hereby disclaims the terminal part of any patent granted on the above-identified application that would extend beyond the statutory expiration date of U.S. Patent No. 6,322,585. Endotex Interventional Systems, Inc. is the owner of U.S. Patent No. 6,322,585 (application serial no. 09/288,866) by virtue of assignment from the inventors to Endotex Interventional Systems, Inc..

Moreover, Endotex Interventional Systems, Inc. hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,322,585, this agreement to run with any patent granted on the above-identified application and to be binding upon Endotex Interventional Systems, Inc., its successors, or assigns.

Endotex Interventional Systems, Inc. does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,322,585 (Application Serial No. 09/288,866), in the event that this patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.312(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

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Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

By: 

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